

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MAURICE GORDON, SR., et al.,

Plaintiffs,

v.

RANDALL WETZEL, et al.,

Defendants.

HONORABLE KAREN M. WILLIAMS

Civil Action

No. 1:21-CV-04861-KMW-AMD

ORDER

Before the Court is defendants Gurbir Singh Grewal's and Patrick J. Callahan's (collectively, the "Defendants") Motion to Dismiss the Third Amended Complaint of plaintiffs Maurice Gordon, Sr., individually and as Administrator of the Estate of Maurice Gordon, Jr., and Racquel Barrett (collectively, the "Plaintiffs") pursuant to Fed. R. Civ. P. 12(b)(6) (ECF No. 87).

The Court having considered the Defendants' Motion, Plaintiffs' Opposition thereto (ECF No. 97), Defendants' Reply in further support of the Motion (ECF No. 103), the arguments of counsel heard during oral arguments held on September 23, 2022; and for the reasons set forth on the record; it is hereby **ORDERED** this 27th day of **September 2022** that Defendants' Motion (ECF No. 87) is **GRANTED**.

It is **FURTHER ORDERED** as follows:

(a) Counts II, III, and IV of Plaintiffs' Third Amended Complaint (ECF No. 77), insofar as they are asserted against Defendants, are **DISMISSED WITH PREJUDICE**;

(b) Should, through the course of discovery, Plaintiffs obtain evidence sufficient to plead a plausible claim against Defendants, Plaintiffs may assert such claims against Defendants in the future by way of amendment;

(c) This Order does not affect any cause of action Plaintiffs assert against defendant Randall Wetzel.

/s/ Karen M. Williams
KAREN M. WILLIAMS
United States District Judge